

REMARKS

This application has been amended so as to place it in condition for allowance at the time of the next Official Action.

The Official Action objects to claim 16 under 37 CFR 1.75(c) as being of improper dependent form. Applicant has amended claim 16 to more specifically recite language as originally presented in independent claim 7, from which claim 16 ultimately depends. Claim 16 is believed to be in proper dependent form as amended.

The Official Action objects to claim 9 under 37 CFR 1.75(a) as failing to particularly point out and distinctly claim the subject matter of the invention. Applicant has amended this claim in accordance with the helpful suggestion provided in the Official Action.

The Official Action rejects claims 7-9, 12, 13, 15, and 16 under 35 USC §102(e) as being anticipated by WEISMAN et al. 6,674,879. Reconsideration and withdrawal of this rejection are respectfully requested for the following reasons:

During the interview of August 4, 2005, counsel for applicant and the Examiners responsible for this case discussed the language of independent claim 7, and more particularly interpretation of the word "sorts". The Examiners suggested amendment of claim 7 to recite: "sorts the data records from multiple cycles into a single cyclic sequence."

The Examiners acknowledged that such amendment would serve to overcome the present anticipation rejection. Furthermore, in light of the thorough search already performed, the Examiners agreed to enter such amendment if presented in the form of an amendment after final rejection.

Reconsideration and withdrawal of this rejection are therefore respectfully requested.

The Official Action rejects claim 10 under 35 USC §103(a) as being unpatentable over BOHNING 4,855,910 in view of GAARDER 3,575,162 and claims 11 and 14 as being unpatentable over WEISMAN et al. in view of DAVANTES et al. 6,252,924. Each of the claims in question ultimately depends from independent claim 7, amended as discussed above in connection with the anticipation rejection. The features implicitly recited in claims 10, 11, and 14 by virtue of such dependence are clearly neither taught nor suggested by the identified combination of prior art references. Reconsideration and withdrawal of these rejections are therefore respectfully requested.

In light of the amendments provided above and the arguments offered in support thereof, applicant believes that the present application is in condition for allowance and an early indication of the same is respectfully requested.


If the Examiner has any questions or requires further clarification of any of the above points, the Examiner may

contact the undersigned attorney so that this application may continue to be expeditiously advanced.

The Commissioner is hereby authorized in this, concurrent, and future replies, to charge payment or credit any overpayment to Deposit Account No. 25-0120 for any additional fees required under 37 C.F.R. § 1.16 or under 37 C.F.R. § 1.17.

Respectfully submitted,

YOUNG & THOMPSON



Eric Jensen, Reg. No. 37,855
745 South 23rd Street
Arlington, VA 22202
Telephone (703) 521-2297
Telefax (703) 685-0573
(703) 979-4709

EJ/lrs